

Appendix C: Water Quality Component

Total DEQ FTE for this Component: 163.6

Of this total, # of FTE supported by the PPG: 51

Element 1: Water Quality Standards and Assessment

DEQ contact: Bob Baumgartner

EPA contact: Jannine Jennings

Establishing water quality standards for waters of the United States in Oregon is at the core of DEQ's water quality activities. Standards include beneficial uses of water, such as drinking, aquatic life, recreation, etc, and the water quality criteria designed to protect those uses. The Water Quality Program then acts to protect and restore water quality by implementing those standards. The staff who work on standards perform the following activities:

- Conduct triennial standards reviews to establish and update scientifically based water quality standards and related policies.
- Develop and maintain internal directives for and provide guidance to regional and headquarters staff on implementation of water quality standards in various water programs.
- Identify waterbodies not meeting water quality standards.
- Develop integrated reports (303(d) list, 305(b) report).

Environmental Outcome: Adoption and application of appropriate water quality standards will contribute to protection of the beneficial uses of Oregon's waterbodies and water quality improvements as measured by ambient water quality monitoring and the Oregon Water Quality Index (OWQI).

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
1.1	Strategic planning process for next triennial standards review. Document standards to review, scope of review, process and timeline. Develop issue paper outlines and begin to identify alternatives, implementation requirements and associated policy and technical issues.	Specific description of existing federal guidance and basis for approval/disapproval based on published federal guidelines. Describe approval of other state standards for selected parameters. Review and input on standards issue papers per agreed upon schedule.	Water Quality Standards Review Work plan to take to public process in 2008.	9/30/07	Yes	WQ-5	Develop and open project for the triennial review. The end product should identify scope of policy and technical review, existing federal requirements for approval.
1.2	Update guidance and protocols for Use Attainability Analysis, and site specific criteria. Incorporate information from EPA describing Federal process in the State draft provided for internal management review.	EPA will coordinate with other federal agencies to develop process for federally proposed UAA/SSC. This process will document a common set of expectations for EPA review and action. This process will document common set of expectations for EPA approval for UAAs initiated by federal agencies. EPA will provide staff to facilitate development of this process and provide review and guidance on methodologies and interim products throughout development of UAA/SSC.	Document procedures and findings necessary for a UAA, site specific standard, or variance that when submitted by State would contain elements necessary for timely EPA action. Finalize after EPA provides comments.	7/06 (DEQ will submit)	Yes		The guidance will need to cover a wide variety of potential issues and scales, from minor changes to use designation on fish use maps to major UAAs for large regulated rivers. DEQ will update internal guidance based on recent internal review. DEQ will update internal guidance once federal agencies provide agreed upon process.

Appendix C: Water Quality Component

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
1.3	Strategic planning for review of human health criteria, fish consumption rates.	EPA will provide support for review. The level of technical and financial support is under negotiation. EPA will provide the State with information regarding national policy and recommended fish consumption rates. The USEPA will describe and explain how the fish consumption rates identified by EPA were developed and how they reflect National guidance or recommendations for regional guidance.	DEQ: Project workplan describing scope, process and timeline for initiating the triennial standards review including the fish consumption rates used for standards. Draft issue paper describing the range of alternatives to be considered to initiate public process in 2008. EPA: Technical support documents, clarification of federal guidance for toxics criteria development.	06/08	Yes		
1.4	Technical support for litigation including: temperature, toxics and human health criteria, other Division 41 rules and the civil rights complaint. DEQ will provide background and supporting information developed during standards review, affidavits, declarations and depositions as warranted.	EPA will establish work plan which identifies information needed, and schedule for developing information, administer meetings.	Defense of approved standards, clear definition of standards modification needed for approval, time schedule for incorporating updates in next triennial review.	Indeterminate at this time	Yes		Time schedules, workload and results indeterminate and not under agency control. We will need to adjust schedules and expectations depending on results.
1.5	Describe through a letter current process for addressing nutrient control, including TMDLs. Continue to track development of federal guidance for nutrients – if time allows (toxics and turbidity revisions highest priority).	EPA will provide response to letter as to consistency with requirements for State Nutrient Criteria Development Plans.	Documentation of nutrient TMDLs and implementation. TMDL schedule for waters listed for nutrients on the 303D list.	07/06	Yes	WQ-2	Nutrient TMDLs are designed to establish basin specific targets, to ensure that water quality criteria that directly influence the beneficial uses (dissolved oxygen, pH etc) are attained.
1.6	Compliance schedule, stratified water rule approval.	EPA will approve or identify alternatives within specified time frames for the proposed rule. EPA will provide draft correspondence to DEQ describing alternative strategies, alternative language, or approval conditions. EPA will provide DEQ with a reasonable time frame for responding to comments prior to finalizing any decision on approval.	Approved rule, or draft letter explaining rational for disapproval and elements needed for approval. EPA and DEQ will establish any further review consistent with triennial standards review update (1.1 above)	07/06	Yes	WQ-6	

Appendix C: Water Quality Component

<u>#</u>	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
1.7	Proposed revisions to temperature narrative criteria and Division 41 errata corrections to EQC.	EPA will discuss any concerns with DEQ prior to EQC adoption. EPA will identify existing federal guidance, and ensure that proposed changes or alternatives are identified that are consistent with EPA requirements.	Revised rule language and use designation maps.	10/06	Yes	WQ-6	Focused on correcting cross reference, housekeeping errors in rule language.
1.8	Update 303 (d) list as part of the Integrated Report.	EPA review and approval. EPA approval prior to public comments period and ensure list approvable.	Approved 303D list.	9/06	Yes	WQ-8	List update

Appendix C: Water Quality Component

Element 2 : TMDLS

DEQ contact: Gene Foster

EPA contact: Christine Psyk

Total Maximum Daily Loads (TMDLs) and Water Quality Management Plans

The federal Clean Water Act requires that water pollutant budgets, called TMDLs, be developed for waterbodies that do not meet water quality standards. TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial and surface runoff sources, including natural background, which can enter the river or stream without violating water quality standards. These estimates are required for waterbodies that have been identified as in violation of one or more water quality standards at some time, and have been included on one of DEQ's 303d lists of water quality limited waterbodies.

Oregon's 303(d) list and TMDL process were the subject of lawsuits brought by environmental groups. Under a consent order signed in 2000, EPA has agreed to a timeline that will ensure Oregon will complete 1153 TMDLs for waterbodies listed on the 1998 303(d) list by the end of 2010. This schedule is further memorialized in a Memorandum of Agreement between DEQ and EPA signed in 2000.

DEQ develops TMDLs on a basin or subbasin scale (generally on a 3rd field US Geological Survey Hydrologic Unit Code or smaller). All 303(d) listed pollutants are included in these assessments using a comprehensive approach. The TMDL Program develops total maximum daily loads for subbasins around the state. These TMDLs address all sources of pollutants when determining allocations of loading. These allocations are developed through water quality analysis, statistical analysis, and mathematical modeling. Staff in the program conduct all facets of work in collecting, analyzing and presenting results. Staff will also perform public and stakeholder outreach to ensure input when decisions are being made. The combination of outreach and development provides for the transition from development of loading allocations to implementation in permits and watershed plans

TMDLs load limits are implemented through waste limits in permits for point source discharges, and as planning targets for other designated management agencies. DEQ staff actively implement TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate revised permit limits.
- Working with local communities and the Oregon Department of Agriculture through the SB 1010 process to implement the TMDLs effectively on agricultural lands.
- Working with the Oregon Department of Forestry, for implementation on state and private forestlands, through the Oregon Forest Practices Act and long range management plans.
- Assisting local governments in developing TMDL Implementation plans for urban areas.
- Working with the U.S. Forest Service and the Bureau of Land Management on developing water quality restoration plans for lands under their jurisdiction.

Under most circumstances, TMDL Implementation plans for improved water quality rely on cooperation among landowners and land managers within a river basin. Local watershed councils, Soil and Water Conservation Districts or other organizations will serve as community-based coordination points for these united efforts. Agencies and municipalities with jurisdiction over sources of nonpoint source pollution are required to submit TMDL implementation plans to DEQ. These plans describe actions that will be taken to reduce their contribution to Water Quality problems.

DEQ has defined development of TMDLs as a High Priority Outcome for the Water Quality Division. DEQ has committed to meet the Consent Decree requiring that specific target numbers of TMDLs be completed by 2008 and by 2010. We have defined a parallel goal that, by 2008, there will be a general recognition of the importance of TMDLs and their implementation for water quality protection and restoration.

Environmental Outcome: Development and implementation of TMDLs will contribute to protection of the beneficial uses of Oregon's waterbodies and water quality improvements as measured by ambient water quality monitoring and the Oregon Water Quality Index (OWQI).

Appendix C: Water Quality Component

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
2.1	Develop TMDLs and WQMPs in accordance with 303(d) List schedule, the February 2000 Memorandum of Agreement between DEQ and EPA and the July 26, 2000 Federal District Court Consent Decree.	Technical Assistance; Review and approve	<p>In 2006 DEQ plans to submit to EPA for approval at least the following TMDLs:</p> <ul style="list-style-type: none"> - Willamette - Umpqua - Upper Klamath - Lost River <p>In 2007 DEQ plans to submit to EPA for approval at least the following TMDLs:</p> <ul style="list-style-type: none"> - Rogue - John Day 	<p>2006</p> <p>2007</p>	Yes	WQ-12	
2.2	Implement TMDL Wasteload Allocations in NPDES permits through collaboration with NPDES permit writers.		Pollutant Discharge Limits that will meet WLAs for each permitted discharge.	Ongoing	Yes		
2.3	Implement the Willamette River Basin TMDL. Work with watershed councils, local governments, and other DMAs to develop appropriate management practices and plans for controlling pollutants to the Willamette River.		Completed Implementation plans throughout Willamette Basin that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Yes	WQ-27 WQ-15	
2.4	Implement the Willamette Mercury TMDL (Phase I) using DEQ's Mercury Reduction Strategy and mercury source characterization work to help identify priorities and strategies. Work with stakeholders to identify sources and implement strategies to reduce the use of mercury and increase the amount of mercury that is safely managed or disposed.		Complete characterization of mercury sources in Willamette basin and data required for final monitoring.	Ongoing	Yes	WQ-15	This work is dependant upon award of competitive Extramural Funding for mercury analysis and mercury minimization planning.
2.5	Implement TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed.		Completed Implementation plans throughout Willamette Basin that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.		Yes	WQ-15	

Appendix C: Water Quality Component

Element 3: Underground Injection Control

DEQ contacts: Mary Sue Gilliland

EPA contacts: Wally Moon

Underground Injection Control Program

The Underground Injection Control (UIC) program protects drinking water sources and aquifers by providing oversight on the use of injection systems (dry wells, sumps, large onsite sewage systems, etc.) that discharge to the subsurface and may endanger groundwater quality. Federal regulation requires DEQ to keep an updated inventory of all injection wells and report them to the EPA. In Oregon the majority of injection systems are associated with storm water discharge and industrial process/wastewater. Injection systems qualify as rule authorized, are exempt from requirements, or are required to acquire a WPCF permit. DEQ staff review and approve applications of a variety of injection system types, provide technical assistance to private and public injection well owners, and work closely with municipalities in their development of stormwater management plans related to injection systems. As a delegated program under the Safe Drinking Water Act, injection systems are subject to EPA enforcement.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that UICs do not result in water quality standards violations, which will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
3.1	Continue administration of UIC program by giving priority to high-risk facilities such as automotive drains, industrial facilities that are associated with hazardous substances and facilities which manage high volumes of storm water injection (e.g. municipalities or businesses with several large parking lots); and timely closing of endangering UICs.	EPA will provide enforcement and compliance assistance as requested by and in close coordination with DEQ. EPA will provide assistance to DEQ in digitizing DEQ's entire UIC database, and will provide updates every 6 months or as necessary.	350 wells inventoried and registered per year; rule authorization determination process (e.g. requesting additional information, providing clarification on application issues, rule authorizing) will occur for approximately 90% of these systems. This includes working with ODOT on their maintenance facility UIC closures per the EPA MOU.	6/30/08	Yes	SDW-12, SDW-13, SDW-14, SDW-15	DEQ anticipates organizational shifts within its Water Quality program. A potential shift may involve combining DEQ UIC and stormwater efforts in order to better serve the regulated community and provide for the most efficient use of resources.
3.2	Provide technical assistance and education and outreach to consultants, cities, municipalities, and other public and private UIC owners.	EPA will provide inspector training opportunities; provide training/outreach to municipalities and other public and private UIC owners, as requested.	Outreach and education activities may include presentations, meetings, and distribution of literature.	6/30/08	Yes		
3.3	Submit reauthorization application for UIC delegation.	EPA will provide timely review of receipt of application package. EPA and DEQ will negotiate a workable turnaround time for review.	Submit reauthorization application upon state representational issue resolution.		Yes		The UIC Element #3 may need to be revised pending funding resolution being negotiated at the state level by mid-year 2006. UIC primacy is at risk if DEQ does not obtain additional stakeholder or state monies to support the work.

Appendix C: Water Quality Component

Element 4: Groundwater Program

DEQ contact: Mary Sue Gilliland

EPA contact: Eric Winiecki

Groundwater Program

The Groundwater Quality Protection Act of 1989 provides the framework for comprehensive groundwater management and protection in Oregon. This Act and the federal Safe Drinking Water Act establish the critical elements for enhancing and protecting Oregon's groundwater resource for its many beneficial uses. Over ninety percent of Oregon's available freshwater is stored beneath the earth's surface as groundwater. Seventy percent of Oregon's people depend on groundwater for their daily water needs via private, public, and industrial water wells.

Oregon focuses most of its groundwater protection activities in three sensitive groundwater areas called "Groundwater Management Areas"; one is located in the Lower Umatilla Basin, one in Northern Malheur County, and another in the Southern Willamette Valley. Protection efforts in these management areas involve, the implementation of groundwater management plans where the water quality has been degraded, beneficial uses are seriously impaired, and public health may be at risk in part from nonpoint source groundwater pollution. Oregon also undertakes statewide groundwater assessment and provides technical assistance to communities and watershed councils engaged in groundwater pollution prevention efforts.

Environmental Outcome: Groundwater protection efforts will help to prevent the degradation of Oregon's groundwater resources, as measured through the various groundwater monitoring efforts DEQ conducts around the state.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
4.1	Develop guidance for implementing groundwater quality protection and restoration for water quality programs.	EPA will provide technical support regarding federal groundwater standards overlay with state guidance, as requested.	Complete the draft Internal Management Directive guidance on the sub-surface discharge of treated domestic effluent.	12/2006	Yes		
4.2	Implement the Lower Umatilla Basin Groundwater Management Area action plan.	EPA will provide groundwater quality data from 2004 research study.	<ul style="list-style-type: none"> - Continued monitoring on bimonthly basis for parameters specified in the action plan. - Meetings with local stakeholders, Groundwater Management Committee, and local agencies. - Complete progress report. - Complete groundwater trend analysis for food processor sites. 	Bimonthly Monitoring 2 meetings/year 2006	Yes		Continue ambient groundwater sampling in support of the GWMA and continue implementation per the action plan.

Appendix C: Water Quality Component

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
4.3	Implement the Northern Malheur County Groundwater Management Area action plan.	EPA will provide technical support as needed.	<ul style="list-style-type: none"> - Continued monitoring on bimonthly basis for parameters specified in the action plan. - Meetings with local stakeholders, Groundwater Management Committee, and local agencies. - Implement recommendations of the 2003 Evaluation of Action Plan. 	Bimonthly monitoring. 2 meetings/year 2006	Yes		Continue ambient groundwater sampling in support of the GWMA and continue implementation per the action plan.
4.4	Implement the Southern Willamette Valley Groundwater Management Area action plan.	EPA will provide technical support as needed.	<ul style="list-style-type: none"> - Meetings with local stakeholders, Groundwater Management Committee, and local agencies. - Action Plan Developed - Start of Implementation of Action Plan 	Bimonthly meetings until action plan developed, then 2 meetings/year 12/06 6/07	Yes		
4.5	Complete federal and state groundwater reporting requirements.		<ul style="list-style-type: none"> - Biennial Report to the legislature. - Groundwater component of 305(b) report. 	12/2006 As scheduled	Yes		
4.6	Participate in EPA-sponsored annual groundwater meetings and conferences as workload and resources allow.	EPA will provide timely notice and organization of meetings.	Meetings	As scheduled	Yes		

Appendix C: Water Quality Component

Element 5: WQ Permitting, Pretreatment and 401 Certifications

DEQ contact: Annette Liebe
EPA contact: Susan Poulsom

Industrial and Domestic Wastewater Permitting

DEQ's wastewater management program regulates and minimizes adverse impacts of pollution on Oregon's waters from point sources of pollution. The term "point source" generally refers to wastewater discharged into water or onto land through a pipe or a discernible channel. These point sources operate under the terms of a federal National Pollutant Discharge Elimination System (NPDES) or state Water Pollution Control Facilities (WPCF) wastewater discharge permit issued by DEQ.

DEQ has had authority for NPDES permit issuance since 1974. As a delegated program, DEQ's NPDES permitting activities are subject to EPA oversight. Effective implementation of the program is required for continued delegation of the water quality program and is essential to the continued receipt of federal program funds. To effectively protect water quality, DEQ must carry out four activities:

- Issue discharge permits that adequately evaluate and limit pollutant discharges to prevent an impact on receiving waters and the beneficial uses of those waters (drinking, swimming, fishing, aquatic habitat, etc.).
- Periodically inspect facilities and review monitoring results.
- Take prompt and appropriate enforcement actions when violations occur.
- Give essential technical assistance for facility owners and operators to help assure ongoing compliance at minimum expense to permit holders.

DEQ currently manages about 4,500 water quality permits including 3,000 federal National Pollutant Discharge Elimination System (NPDES) permits and 1,500 State Water Pollution Control Facility (WPCF) permits.

Due to the increasing number of permitted facilities and the increasing complexity of permitting standards, DEQ's permitting program developed a permit backlog. A "Blue Ribbon Committee" was convened in 2002 to assist DEQ in identifying improvements to the wastewater program. Since then, DEQ made significant progress in reducing the permit backlog of major NPDES individual permits from 60% in 2001 to 26% at the end of 2005. The overall permit backlog, which includes all individual and general WPCF and NPDES permits, was 37% at the end of 2005.

Delivering on the Blue Ribbon Committee's recommendations is one of DEQ's High Priority Outcomes. DEQ's top priority over the next three years is to implement the plan that has been developed based on the recommendations from the Blue Ribbon Committee for reducing the permit backlog, improving enforcement, and improving the permit program "infrastructure" which provides support and guidance for timely permit issuance. Meeting this plan will require all of our existing resources, but we believe that it will result in DEQ effectively and efficiently fulfilling its responsibilities under state and federal law to protect Oregon's water quality. Specifically:

- Permits issued by watershed, for an improved emphasis on key water quality concerns and a more holistic approach to discharge effects on watersheds.
- Improved accountability including annual permit issuance plans and tracking and individual performance expectations.
- The wastewater permit backlog will be reduced to less than 10% by the end of 2007
- Timely review of compliance data and improved compliance inspections.

Biosolids Program—Mary Sue Gilliland

Biosolids are wastewater solids that have undergone sufficient treatment to make them safe for land application. These wastewater residuals are desirable fertilizers and soil conditioners. DEQ works with domestic wastewater treatment facilities to assure proper stabilization, application, management, and monitoring of solids on sites used to improve soil tilth and to grow a variety of crops. Biosolids applications are controlled by detailed site authorization letters which, together with biosolids management plans, are linked directly to the Water Quality permits of wastewater treatment facilities.

Appendix C: Water Quality Component

Wastewater Reuse–Mary Sue Gilliland

DEQ staff work with municipal and industrial wastewater facilities to permit the recycling of treated wastewater effluent and provide technical assistance to those facilities engaged in the practice of reuse. Wastewater reuse is a tool in the “tool box” for municipalities and potentially industrial wastewater dischargers as another option for managing their treated wastewater. Having additional “tools” provides these stakeholders with options that may be more economical and/or environmentally sound, and can be an additional source of water for non-drinking water practices. Most wastewater reuse occurs through land application to crops and golf courses, and there is increasing interest to reuse treated effluent for industrial and commercial applications. DEQ works with the Department of Human Services – Health Services Division and Water Resources Department on the permitting of this practice.

401 Water Quality Certification–Sally Puent

Section 401 of the federal Clean Water Act requires that any federal license or permit to conduct an activity that may result in a discharge to waters of the State receive certification from DEQ that the activity complies with water quality requirements and standards before the activity is allowed. In order to provide a certification, DEQ reviews proposed project applications to dredge, fill, or otherwise alter a waterway or wetland to ensure that the projects will meet water quality program requirements. The federal relicensing of hydroelectric projects also requires a 401 water quality certification (WQC) from DEQ as a condition of the operating license of the facility.

For dredge and fill projects, DEQ issues approximately 150 individual WQCs per year that contain conditions which provide protective measures for water quality and beneficial uses. DEQ also participates in a number of pre-application meetings, site visits and public presentations to provide early input to applicants regarding DEQ’s expectations and requirements for proposed projects. DEQ provides support for EPA reviews of 401 water quality certification program activities related to proposed dredge and fill projects. Additionally, DEQ provides a great deal of technical assistance throughout the permit process. DEQ also issues programmatic type WQCs which cover groups of activities with protective conditions in an effort to provide a streamlined approach to the regulatory process. The 401 program is responsible for monitoring implementation of the WQCs issued to insure compliance with and effectiveness of conditions, as well as initiating enforcement actions on activities which result in violations to water quality standards.

During the course of this PPA, EPA may allocate funds that could be used to enhance the State’s 401 program. DEQ will work with EPA to identify any potential for requesting specific funding from EPA to enhance 401 reviews, oversight and field reviews consistent with existing program objectives. EPA will notify DEQ of any potential funding opportunities and respond to any DEQ request for additional funding.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that point source discharges, dredge and fill activities and the recertification of hydroelectric projects do not result in water quality standards violations and will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.

Appendix C: Water Quality Component

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
5.1	Continue to issue and reissue NPDES and WPCF permits. There are approximately 1100 individual permittees in Oregon, including 78 NPDES majors and 286 NPDES minors.	On an annual basis, EPA will select permits that it will review. EPA review will occur prior to public notice of those permits.	<p>Develop and implement a plan that identifies specific NPDES permits intended to be reissued during each year of this agreement, including "priority permits".</p> <p>By the end of calendar year 2007 90 percent of individual NPDES permits will be current.</p> <p>By the end of calendar year 2009 90 percent of the facilities covered under industrial waste water general permits will be under current permits.</p>	<p>12/07</p> <p>12/09</p>	Yes	WQ-19 WQ-30	<p>DEQ's goal is to issue 95% of "priority permits" each year.</p> <p>EPA will work with DEQ on permit selection for EPA review with an emphasis on those permits implementing water-quality based limitations and/or meeting temperature standards.</p> <p>EPA's goal is to have 90% of the facilities that are covered under industrial waste water general permits under current permits by the end of this PPA cycle. DEQ would need additional resources to meet the goal within that timeframe.</p>
5.2	Develop and implement a watershed based permit issuance plan.		By the end of 2010, 95 percent of permits will be issued on a watershed cycle.		Yes	WQ-32	
5.3	Develop state-wide permit policies, guidance and tools to make the permits program more consistent, effective and efficient.	Technical Assistance (TA); EPA timely review and comment on draft policies and guidance; and other program support as needed. EPA will participate in the development of the IMD for control of SSOs.	<p>Develop Internal Management Directives for:</p> <ul style="list-style-type: none"> - Temperature standard implementation - Establishing mixing zones - Wet weather; bacteria and SSO - Industrial permit wizard - Establish a Dispute Resolution Process - Develop fee rulemakings - Subsurface Discharge IMD - Reclaimed water IMD - Industrial Solids IMD <p>Conduct permit writer's workshop</p> <p>Use of compliance schedules and MAOs in the permit program.</p>	06/30/08	Yes		

Appendix C: Water Quality Component

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5.4	Permits shall include water-quality based effluent limits (WQBELs) as needed.	Provide technical advice and guidance to State.	WQBELs are included in permits where reasonable potential is found. Fact Sheets document reasonable potential and WQBELs.	Ongoing	Yes		
5.5	Implement State stormwater program.		<ul style="list-style-type: none"> - Conduct compliance activities on Phase I permittees. - Issue (18) Phase II MS4 stormwater permits. - Reissue and implement 1200COLS; 1200A and 1200Z permits. - Work with local govt. agencies to assist DEQ in program implementation. - Inspect stormwater permits in response to complaints. 		Yes	WQ-20 WQ-21	
5.6	Coordinate State permit actions with interested tribal agencies as appropriate.	Liaison role as needed.	Improved relations with affected tribes.	06/30/08	Yes		
5.7	DEQ will conduct effluent reuse activities.	EPA will review draft water reuse rules (OAR 340-055) as requested by DEQ.	DEQ will complete revisions to state water reuse regulation (OAR 340-055 – Reclaimed Water).	12/30/07	Yes		EPA R10 will involve the interested offices of EPA HQ in the review of the draft rules.
5.8	DEQ will conduct biosolids/sewage sludge activities.	EPA will provide TA; timely program support as needed.	<ul style="list-style-type: none"> - Review approximately 25 biosolids management plans each year. - Issue approximately 75 land application site authorization letters each year. - Provide TA and program oversight from each DEQ regional office and HQ. 	6/30/08 6/30/08	Yes		The exact number of plan and site review depends on number of requests from municipal facilities.
5.9	Revise the EPA/DEQ water quality memorandum of agreement (MOA) re the NPDES and Pretreatment programs.	EPA will take the lead in revising the MOA. DEQ will review and comment and provide other assistance as available.	Revised final MOA.		Yes		

Appendix C: Water Quality Component

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5.10	Implement the Pretreatment Program.		Conduct a total of 11 pretreatment audits.	6/30/08	Yes	WQ-22	
5.11	Ensure appropriate controls are placed on combined sewer overflows (CSOs).		Reissue the Portland Permit. Transmit a status report on CSO corrective actions under the mutual agreement orders.		Yes	SS-2	
5.12	DEQ will participate in Government Performance and Results Act (GPRA) reporting.	EPA will provide a list of items to be reported under the NPDES permit program by July 1 of each year along with the due dates for each item.	DEQ will provide information required under the GPRA (resources permitting).	6/30/08	Yes	PAMs are under GPRA	The information will be fed into the national program reporting system. More information on GPRA reporting can be found at www.epa.gov/ocfo/planning/gpra.htm
5.13	DEQ will coordinate with EPA to participate in the State Review Framework.	EPA will complete the State Review Framework.	DEQ will facilitate this review by providing data, making files and providing adequate staff to complete this project.	Early 2007	Yes		

Appendix C: Water Quality Component

Element 6: Compliance Assurance and Enforcement DEQ contact: Annette Liebe EPA contact: Kim Ogle <i>Environmental Outcome: Compliance assistance and enforcement activities are critical components of an effective wastewater permitting program, which will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.</i>							
#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
6.1	DEQ will conduct compliance assistance and compliance assurance activities as appropriate (see additional detail below).	TA and support as needed.	<ul style="list-style-type: none"> - TA provided to permittees. - DMRs from individual permittees reviewed. - Compliance data stored in database (see additional details in Data Management Section, Component 9). 	06/30/08	Yes		
6.2	DEQ will respond to significant public complaints.	TA and support as needed.	<ul style="list-style-type: none"> - Prompt response to complaints that involve potential significant threats to public health and the environment. - Investigate spills. - Enforcement actions as warranted. 	Ongoing	Yes		
6.3	DEQ will inspect point source (NPDES) facilities.	As resources allow, Region may schedule joint oversight inspections with DEQ.	<p>Inspect all major sources every year and minor sources within the sub-basins included for that year in the permit issuance plan.</p> <p>Submit inspection plan to EPA Region 10.</p>	6/30/07 and 6/30/08 (inspection plan submittal)	Yes	CWA-01	<p>DEQ reserves the right to substitute minor facility inspections in place of major facility inspections at the appropriate ratio (2:1) to make the watershed plan work (i.e., balance the workload based on inspection resources).</p> <p>DEQ will create a 2006 watershed inspection plan for collaborative EPA inspections this summer.</p>
6.4	DEQ will pursue timely and appropriate enforcement actions as warranted.	TA and program support as needed.	Formal enforcement actions taken pursuant to state law and rule.	Ongoing	Yes		
6.5	DEQ will participate in EPA collaborative planning and enforcement initiatives as resources allow.	TA and program support.	<ul style="list-style-type: none"> - NPDES MOA and Compliance Assurance Principles Agreement revisions as needed. - Joint planning and enforcement case coordination. 	6/30/08	Yes		

Appendix C: Water Quality Component

<u>#</u>	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
6.6	DEQ will report on its compliance activities.	DEQ will develop in house understanding of PCS using a cooperative agreement with EPA OECA and Office of Wastewater Management. DEQ will enter PCS data as soon as possible through January 2008. If additional resources can not be acquired to continue this activity beyond January 2008, EPA and DEQ will renegotiate what other work can not be accomplished.	Report summary of minor facility noncompliance annually.		Yes		
6.7	DEQ will report on its enforcement activities.		DEQ will submit summary level data on enforcement annually to EPA.		Yes		

Appendix C: Water Quality Component

Element 7: WQ Data Analysis, Management and Monitoring

DEQ contact: Dave Kingsella (data) and Greg Pettit (monitoring)

EPA contact: Jeannine Brown (data) and Gretchen Hayslip (monitoring)

Water Quality Monitoring

Water quality monitoring and assessment provides the foundation for effective water quality management. Water quality monitoring programs provide information on the status and trends of water quality in Oregon and the causes of impairment. Monitoring is conducted to determine if water quality supports beneficial uses and if standards are met. Streams that do not meet water quality standards are placed on the 303d list and will have TMDLs developed for them. In order to develop TMDLs studies must be conducted to determine the sources and loads of pollutants affecting the water body and how those vary over time and space. DEQ is engaged in several other types of monitoring studies, including the following:

- Studies to determine the relationship between water quality, habitat conditions and biological condition.
- Compliance monitoring studies to determine compliance with permit conditions.
- Studies to determine threats to human and ecological health from toxic compounds.

The Laboratory also collects water samples and analyzes the results to support other DEQ programs respond to inquiries from the public. In addition, the Laboratory certifies environmental laboratories in cooperation with the Oregon Department of Agriculture and Oregon Health Services under the National Laboratory Accreditation Program (NELAP). The Laboratory works with other agencies to monitor Oregon's progress under the Oregon Plan for Salmon and Watersheds and provides equipment and technical support to watershed councils for water quality monitoring.

Water quality monitoring is necessary to understand how well Oregon is protecting the uses of its water. DEQ monitors water quality by collecting water quality samples, and then performing chemical analysis and statistical analysis of the resulting data. The Water Quality Program is responsible for monitoring and assessing Oregon's 52,000 miles of rivers, 400,000 acres of lakes, 56,000 acres of tidal wetlands, 360 miles of coastal ocean and 206 square miles of estuaries, harbors and bays. DEQ augments its water quality data by using monitoring data from a wide variety of sources, including watershed councils and federal agencies. However, all data must first be reviewed to ensure proper quality control protocols were used.

Environmental Outcome: Effective management and analysis of water quality data provides a means for tracking and assessing the effectiveness of water quality protection and improvement efforts, supporting an adaptive management approach that will result in water quality improvements as measured through ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
7.1	DEQ will pursue a data system that has an interface capability with EPA's ICIS-NPDES. DEQ will work with EPA to contract in order to receive PCS training and assist with PCS data entry.	As needed, seek federal funding to complete.	<ul style="list-style-type: none"> - Populate the PCS data system with WENDB elements - By June 2007 DEQ will have the capacity to use PCS to produce a quarterly noncompliance report (QNCR) and transmit to EPA. 	<p>Ongoing</p> <p>Ongoing</p>	Yes, and by State and Tribal Assistance grant		EPA will periodically inform DEQ of EPA's own progress in updating ICIS-NPDES, and to the extent possible, will solicit DEQ's input on issues pertaining to Oregon Data.

Appendix C: Water Quality Component

<u>#</u>	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
7.2	Environmental Indicators – DEQ uses the Oregon Water Quality Index (OWQI) as the key indicator for WQ monitoring, using data collected from the 140 sites of the ambient monitoring network. Prepare periodic reports on water quality trends and indicators, including supporting the 303(d) assessment process.	TA; consultation	<ul style="list-style-type: none"> - Continue entering data into the data base. - Update of Index annually. 	05/07 05/08	Yes		
7.3	Collect water quality data to support TMDL development		TMDL developed on schedule and supported by adequate data.	Ongoing	Yes		
7.4	Develop a TMDL as a pilot using DEQ's traditional modeling approach plus incorporating data from an EMAP-style sampling design. Focus will be on a basin where nonpoint source issues rather than point sources are the primary water quality drivers.	TA; Review and approve	Document new approach for Nonpoint Source TMDLs. Scope and conduct monitoring for a primarily nonpoint source TMDL.	Scoping and Sampling: Calendar year 2006, TMDL developed Calendar year 2007	Yes		Non-point sources may have other stressors not identified in original listings that triggered TMDL development; biological sampling will help develop a more holistic TMDL.
7.5	Enhance infrastructure for Oregon's water quality monitoring data at DEQ's Laboratory.	Provide supplement water quality monitoring funds	<ul style="list-style-type: none"> - Develop electronic data upload procedures for DEQ field and lab data to LASAR - Improved data entry and accessibility using DEQ's LASAR data base for third party users. 	06/08	Yes		
7.6	Conduct monitoring for survey of lake conditions for 30 of Lakes in OR.	Provide funding for Lakes Monitoring work in OR, and lab and data analysis.	Monitoring work for Lakes in OR	06/08	Yes		Work Plan is attached.

Appendix C: Water Quality Component

Element 8: Management of Nonpoint Sources of Pollution

DEQ contact: Gene Foster
EPA contact: Christine Psyk

Section 319 of the federal Clean Water Act requires states to have nonpoint source (NPS) management programs based on assessments of the amounts and origins of NPS pollution in the state. Nonpoint source pollution comes from numerous diffuse sources such as runoff from roads, farms and construction sites. This type of pollution is understood to be the largest source of water quality impairment in Oregon, as well as the rest of the United States. Federal grants cover the majority of cost for Oregon's NPS program, which protects and restores both surface water and groundwater. During the 2005-2007 biennium, DEQ will provide close to \$4 million to local organizations for nonpoint source projects such as public education and watershed restoration. DEQ's NPS program also includes staff, which performs the following activities:

- Characterization of NPS problems/concerns.
- Monitoring to support and determine effectiveness of BMP programs.
- Best management practices development/implementation.
- Coordination between stakeholders.
- Liaison support staff to other state and federal agencies.
- Restoration activities.
- Development and modeling for NPS TMDLs.
- Development of UAA/SSC as related to NPS activities; and
- Public education.

Environmental Outcome: Active management and control of nonpoint sources of pollution will reduce the amount of nonpoint source pollution getting into Oregon's waterways, resulting in water quality improvements as measured by ambient water quality monitoring, the OWQI and TMDL implementation monitoring plans.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
8.1	Review and update Oregon's 319 grant guidelines to include EPA's NPS Guidance 9's points criteria. Distribute 319 grants to fund project proposals to Oregon's priority basins based on TMDL development and implementation, and GWMA's. Work with EPA to review basins plans containing EPA's 9 point guidance.	Assist with criteria updates as needed. Target Oregon's priority watersheds for funding. Provide technical support and review of basin plans based on TMDL development and implementation and the 9 guidance points.	Solicit and select projects.	05/07 and 05/05	Yes	WQ-27	Funding criteria used to prioritize proposals. DEQ continues to develop watershed approach, TMDL implementation, and integration of EPA's NPS Guidance 9 points criteria into watershed implementation plans.
8.2	Prepare an annual report of NPS program accomplishments.	Review and take final action on annual report.	NPS Annual Report	03/07 and 03/08	Yes	WQ-15	Place on website.
8.3	CZMA approval process. DEQ will update documentation and attorney generals opinion for the CZMA submittal.	Approve, or work with EPA headquarter reviewers to coordinate approval from EPA and services. Document approval, or store application until approval is achieved.	EPA retention of CZMA submittal	05/07	Yes		

Appendix C: Water Quality Component

Element 9: Source Water Protection

DEQ contacts: Mary Sue Gilliland

EPA contacts: Eric Winiecki

Source Water Protection Program

The Safe Drinking Water Act Amendments (SDWA) of 1996 provided resources to states to focus more attention on the source areas for public water systems instead of solely relying upon treatment to achieve clean drinking water. Approximately 75% of Oregon's citizens get their drinking water from public water systems. To address the assessment requirements of the SDWA, the Department of Human Services – Health Services (DHS) teamed up with the Department of Environmental Quality (DEQ). The two agencies have established a Memorandum of Understanding to coordinate their work.

The two agencies worked closely in 1998 and 1999 with a citizen's advisory committee consisting of nine public water system managers and eleven interest groups and agency representatives to develop the Oregon program. DEQ and DHS then shared the responsibilities to implement the program that included computer database development, Geographic Information System (GIS) development, technical assistance, contamination source inventories, surface water delineations, groundwater delineations, and susceptibility analyses. Oregon completed the source water assessments in June 2005 for 142 surface water systems, 948 ground water systems (community and non-transient non-community), as well as 1040 transient non-community systems.

In recognition of the role of usable drinking water as a prerequisite for human health and future economic growth, DHS and DEQ have now shifted resources into providing technical assistance to public water systems and communities to encourage drinking water protection. This is being done through the use of site-specific information derived from the assessments, the development of outreach programs and tools, the integration of drinking water priorities with other agency programs, and working with local planning authorities to integrate drinking water protection areas into land use planning decisions."

EPA has set out a "Strategic Target" for the source water protection program, which the EPA regional offices are expected to meet:

- Strategic Target F: "By 2008 50% of source water areas for community water systems will achieve minimized risk to public health (minimized risk is achieved by substantial implementation, as determined by the State, of source water protection actions in a source water protection strategy)."
- DEQ recognizes that EPA Region 10 is expected to meet this target, and will endeavor to assist the Region in meeting it.

Appendix C: Water Quality Component

What is a Program Activity Measure (PAM)?

From the "National Water Program Guidance Appendix: FY 2006 Final Measures and Commitments"

"PAMs address activities to be implemented by EPA Headquarters, EPA Regional Offices, or by States/Tribes that administer national programs. They are the basis for monitoring progress in implementing programs to accomplish the environmental improvements described in the new Strategic plan."

In April of 2005, the National Water Program published Guidance describing strategies for meeting the water related goals established in the Environmental Protection Agency Strategic Plan and defining the measures to be used to assess progress in meeting the goals in the Plan in FY 2006. Some of the measures included "targets," or increments of progress that might be accomplished under the measures in FY 2006.

The Guidance includes an Appendix that identifies the specific measures that support each water subobjective Plan. The Appendix includes all measures related to water programs, including the environmental/public health measures state in the EPA Strategic Plan (i.e. subobjectives and strategic targets) and the measures of activity in a range of program areas that support each subobjective (i.e. Program Activity Measures or PAMs).

What PAMs apply to the PPA?

The matrix has a column identifying the EPA PAMs. These have been suggested by the EPA program managers as appropriate.

Where can I go for additional information regarding PAMs?

<http://www.epa.gov/water/waterplan/documents/05guidance.html>